#### LIST OF EXHIBITS AND WITNESSES

Case Nun	nber	CV 14-3242	-PSG (PJW	x):	Title Co	OLONY COVE PROPERTIES, LLCVS- CITY OF CARSON, ET	ſ AL.			
Judge		PHILIP S. G	UTIERRE	Z.						
Dates of T		4/28/16; 4/2	9/16; 5/3/16	5; 5/4/16 <sup>′</sup>	5/5/1	CLERK, U.S. DISTRICT COURT				
Court Re or Tape		MAREA W	OOLRICH;	MIRAND	A ALGOR	MAY - 5 2016				
Deputy C	lerks	WENDY H	ERNANDE	Z		CENTRAL DISTRICT OF				
-	Atto	rney(s) for Pl	aintiff(s) / P	etitioner(s)	1	CENTRAL POSTRICT OF CALIFORNIA Attorney(s) for Defendant(s) / Berpond nt(s)				
Matthew	Close					Stephen Onstot				
Dimitri P	ortnoi					June Ailin				
Thomas (	Casparian					Jeffrey Malawy				
Plainti	iff(s) or Pe	etitioner(s)		efendant(s)						
			K	espondent	(s)	EXHIBIT DESCRIPTION / WITNESS Call	ed By			
Ex. No.	Id.	Ev.	Ex. No.	Id.	Ev		•			
01	4/28/16	6/3/16				CAPECIN HAPPER & COLONY COUZ				
02	4/20/11	p 5/3/16				COMPARISON OF PROFES AT CHISON HOUSING CC				
D3	4/28/16	1 1				Timeline				
	4/29/11	5/3/16				Lost Rent Damage Calculation				
05	4/29/1	6 5/3/16				Colony Cove Lost Rent Damages				
	4/29/11	0 5/3/16				calculation of Prejudgment Interest				
D7	4/29/11	0 43/16				Historical Levels of the S&P SW Index				
08	4/28/11	, 5/3/16				Usting price and offers for colony cove Damage calculations before inverse				
09	4/28/11									
DIO	4/28/1	6 5/3/16	# .			Damage Calculations with Interest				
	L	<u> </u>	· 							
-,-	ļ <del></del>		<u> </u>		· ·					
· · · · · · · · · · · · · · · · · · ·			D13		53	GUIDELINIES EXCERPT				
	_ : -		D14		53	ORDINANCE EXCERPT				
			DIZ		53	LETTER EXCENPT 1				
. 4		fc.at-	DIG	·········	3	LETTER EXCERPT 2				
			DIA		53	LISTIFIC ISKCIERT 3				
. ]			DR		5/3	POTENTIAL RENTINCAPAGE				
			D10		3/3	SALOMON/ELLIS COMPANISON	•			

MATTHEW W. CLOSE (Bar No. 188570) mclose@omm.com CLERK, U.S. DISTRICT COURT DIMITRI D. PORTNOI (Bar No. 282871) dportnoi@omm.com O'MELVENY & MYERS LLP MAY - 5 2016400 South Hope Street Los Angeles, CA 90071-2899 STRICT OF CALIFORNIA Telephone: (213) 430-6000 Facsimile: (213) 430-6407 Additional Plaintiff's counsel listed on signature page. 8 Attorneys for Plaintiff Colony Cove Properties, LLC 10 JUNE S. AILIN (Bar No. 109498) 11 || jailin@awattorneys.com SUNNY K. SOLTANI (Bar No. 209774) ssoltani@awattorneys.com JEFF M. MALAWY (Bar No. 252428) 13 jmalawy@awattorneys.com ALESHIRE & WYNDER, LLP 18881 Von Karman Avenue, Suite 1700 Irvine, California 92612 Telephone: (949) 223.1170 Facsimile: (949) 223.1180 17 Attorneys for Defendants City of Carson and City of Carson 18 Mobilehome Park Rental Review Board 19 UNITED STATES DISTRICT COURT 20 CENTRAL DISTRICT OF CALIFORNIA 21 COLONY COVE PROPERTIES, LLC, a Case No. CV 14-03242 PSG (PJWx) Delaware limited liability company, 22 23 Plaintiff, **JOINT WITNESS LIST** v. 24 Judge: Hon. Philip S. Gutierrez Pretrial Conference: March 21, 2016 CITY OF CARSON, a municipal corporation; CITY OF CARSON Trial Date: April 5, 2016 MOBILEHOME PARK RENTAL 26 REVIEW BOARD, a public administrative 27 body; and DOES 1 to 10, inclusive, 28 Defendants. Case No. CV 14-03242 PSG(PJWx)

JOINT WITNESS LIST

Pursuant to Local Rule 16-5, Plaintiff Colony Cove Properties, LLC ("Colony Cove") and Defendants City of Carson and City of Carson Mobilehome Park Rental Review Board (collectively, the "City" or "Defendants") hereby submit the

following joint witness list:

Colony Cove Properties, LLC v. City of Carson, et al. Case No. CV 14-03242 PSG (PJWx)

8	Name	Party Calling	Brief Description of Testimony	Length of Direct Examination	Length of Cross Examination	Total Time
10	James F. Goldstein	Plaintiff	Colony Cove's negotiation and	4 hours	2 hours	6 hours
11	Goldstelli	;	purchase of Colony	4/22/14		
12			Cove Mobile Estates (the "Park")	< 3/10		į
13			and Colony Cove's reasonable,	Ψης <sub> </sub>  ς		
14			investment-backed		•	
15			expectations at the time of the purchase			
16			regarding the City's treatment of Colony			
17			Cove's debt service.			
18			The losses the Park suffered in the			
19			relevant years.		···	
20	Noelle Stephens	Plaintiff	Colony Cove's expenses, income,	90 minutes	1 hour	2 hours 30
21			and operating losses in the relevant	4/29/14		minutes
22			years.	MIN.		

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1	Peter A. Salomon	Plaintiff	Expert opinion on the amount of	3 hours	1 hour	4 hours
2	Salomon		economic damages	x/2/10		
3	·		owed to Colony	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\		
4			Cove due to the City's actions	IM (		
5			related to not			
	·		providing rent			
6			increases that account for the			
7			financing costs			
8			Colony Cove			
0			incurred to purchase			
9			the Park in April			
10			2006. Expert opinion on			
			prejudgment			
11	,		interest rate and the			
12			amount of prejudgment	·		·
13			interest on these			
			economic damages.			
14	D ob A	Plaintiff	Expert opinion on	2 hours	1 hour	3 hours
15	Rob A. Detling	Flamun	Expert opinion on the appraised value		1 Hour	
16			of the Park at the	wally		
			time of Colony	1/2011		
17			Cove's purchase in April 2006.			
18			F			<u> </u>

1 2	Kenneth Baar	Defendants	Expert analysis of factors and methods	2 hours	2 hours	4 hours
İ			Defendants may use	1.100		
3			to set allowable rent increases and the	3/3/14		
4	·		economic foundation for	·	7	
5			them; precedent			
6	·		with respect to consideration of			
7			debt service.			
8			Unique in that he is the only witness			
9			that will assist the trier of fact in			
10			understanding the			
11			variables that may be analyzed and			
12	4		approaches taken by Defendants in		÷	
13			making rent control			
14	·		decisions.	:	···	
15	James Brabant	Defendants	Expert opinion (1) critiquing John	2 hours	2 hours	4 hours
16	Brasant		Neet's "Fair Return		·	
$_{17}\ $		,	Analysis" and Rob Detling's appraisal			
18	,		of the park, and (2) presenting his own			
19			appraisal of the			
20			value of the park at the time of purchase			
$\begin{bmatrix} 20 \\ 21 \end{bmatrix}$	!		by Plaintiff. Unique in that he is the only			
22			witness providing			
			such critiques and an appraisal other			
23			than Plaintiff's.			
24	John Ellis	Defendants	Expert opinion	1 hour	1 hour	2 hours
25			critiquing Salomon's report on	$ U_i $		
26			damages. Unique in	7/2/,		
27			that he is the only witness providing	( <del>)</del>		
28			such critique.			

1	Kenneth	Defendants	Nature of the	4 hours	2.5 hours	6.5 hours
2	Freschauf		government action for Defendants' rent	/,/		Hours
3			control system; how	3/3/14		
4			staff processes	[X/V]		
			applications, particularly review	1 2/1 W		
5			of claimed	\f\_2\_2,		
6		·	expenses; starr			
7		•	processing of Colony Cove			
8			applications in			
			Years 1-8; historical			
9			Board treatment of debt service			
10			expenses; revenue		•	
		÷	and expenses of			
11			Colony Cove;			
12			history of rent			
12			control litigation by Mr. Goldstein			
13	•		against Carson; Mr.			
14	·		Goldstein's			
15			applications to			
		· · · · · · · · · · · · · · · · · · ·	subdivide his			
16		•	Carson parks. Mr. Freschauf is unique			, ·
17			in that he is			
			Defendants' staff on			
18			rent control matters			
19			and has been for	•		
20			decades; thus, he is the only witness			
1			who will testify as			
21			to how the rent			
22		•	control system was			
			applied to Mr. Goldstein's parks.			
23			Goldstelli s parks.			·
24						

ł	1					
1	Doug Danny	Defendants (via depo)	Market conditions for mobilehome	45 minutes	20 minutes	1 hour 5 minutes
2	Danny	(via depo)	park sales;	minutes		Immates
3			negotiations for the sale and purchase of	MAY - 3 2	) 016,	
4			the park reflecting buyer's and sellers			
5		·	goals and		·	
6			expectations. Unique in that he is	·		
7			the real estate broker for the			
8			purchase and sale of			
9			the park.			4.1
10	Mark Hansen	Defendants	Mr. Goldstein's objectives and	2 hours	2 hours	4 hours
11			expectations in	U./ .		
12		·	purchasing the park using financing.	12/1U		
13			Unique in that he was Mr. Goldstein's	つい		
14			broker re financing.			
15	Ann	Defendants	Adverse witness	30	15 minutes	45
16	James*	(via depo)	regarding property management,	minutes		minutes
17			including revenues			
18			and expenses. Unique in that she is			
19			the park's property manager			
20	Noelle	Defendants	Adverse witness	1 hour	Colony Cove	
21	Stephens*	Deterior	regarding park	1 11001	objects to the	
22			operations and profit/loss. Unique		City recalling this witness.	
23			in that she was the "go to" person		The City should	
24			regarding park		examine this	
25	,		finances.		witness on cross-	
26					examination.	
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Case No. CV 14-03242 PSG (PJWx)

JOINT WITNESS LIST

James Goldstein*	Defendants	Adverse witness on economic impact and investment expectations. Unique in that Mr. Goldstein is the park owner.	3 hours	Colony Cove objects to the City recalling this witness.  The City should examine this witness on cross-examination.	
John Neet*	Defendants	Adverse witness on the "Fair Return Analysis" he	30 minutes	15 minutes	45 minutes
		prepared in support of a rent increase application. Unique in that he was the author of such analysis.			
Matt Crow*	Defendants (via depo)	How the park was marketed, Mr. Goldstein's investment expectations, and why Mr. Goldstein's offer for the park was accepted; authentication of documents by seller Grossman Properties. Unique in that he is the only witness representing the seller of the park.	15 minutes	15 minutes	30 minutes
Carson City Clerk/ Custodian of Records*	Defendants	Authentication/ certification of city documents	15 minutes	15 minutes	30 minutes

<sup>\*</sup> Asterisk indicates witness which a party may call if the need arises.

28

1	DATED: February 29, 2016	Respectfully submitted,
2		GILCHRIST & RUTTER
3		Professional Corporation
4		&
5		O'MELVENY & MYERS LLP
6		
7		By:/s/ Matthew W. Close
8	. •	By: /s/ Matthew W. Close MATTHEW W. CLOSE
9		DIMITRI D. PORTNOI O'MELVENY & MYERS LLP
10		400 South Hope Street
11		Los Angeles, CA 90071–2899 Telephone: (213) 430-6000
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13		RICHARD H. CLOSE (Bar No. 50298) rclose@gilchristrutter.com
14		THOMAS W. CASPARIAN (Bar No.
15		169763) tcasparian@gilchristrutter.com
16		YEÑ N. HÖPE (Bar No. 233880) yhope@gilchristrutter.com
17		GILCHRIST & RUTTER
18		Professional Corporation 1299 Ocean Avenue, Suite 900
19	•	Santa Monica, California 90401–1000 Telephone: (310) 393-4000
20		Facsimile: (310) 394-4700
21		Attorneys for Plaintiff
22		Colony Cove Properties, LLC
23		
24		
25		
26		
27		
28		
-		The state of the s
. [		7 Case No. CV 14-03242 PSG (PJWx)

1	DATED: February 29, 2016 ALESHIRE & WYNDER, LLP
2	
3	By: /s/ Stephen R. Onstot
4	Sunny K. Soltani June S. Ailin
5	Stephen R. Onstot
6	Jeff M. Malawy Margaret W. Rose
7	Laura Leitner
8	ALESHIRE & WYNDER, LLP 18881 Von Karman Avenue, Suite 1700
9	Irvine, California 92612 Telephone: (949) 223-1170
10	Facsimile: (949) 223-1180
11	Attorneys for Defendants City of Carson
12	and City of Carson Mobilehome Park
13	Rental Review Board, a public administrative body
14	
15	
16	ATTESTATION
17	I hereby attest that the other signatory listed, on whose behalf this filing is
18	submitted, concurs in the filing's content and has authorized the filing.
19	
20	Dated: February 29, 2016 O'MELVENY & MYERS LLP
21	By: /s/ Matthew W. Close
22	Matthew W. Close
23	
24	
25	
26	
27	
28	
20	
	8 Case No. CV 14-03242 PSG (PJWx)

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FILED CLERK, U.S. DISTRICT COURT MATTHEW W. CLOSE (Bar No. 188570) mclose@omm.com MAY - 5 2016DIMITŘÍ D. PORTNOI (Bar No. 282871) dportnoi@omm.com DISTRICT OF CALIFORNIA O'MELVENY & MYERS LLP 400 South Hope Street Los Angeles, CA 90071–2899 Telephone: (213) 430-6000 Facsimile: (213) 430-6407 6 Additional Plaintiff's counsel listed on signature page. Attorneys for Plaintiff 9 Colony Cove Properties, LLC 10 JUNE S. AILIN (Bar No. 109498) jailin@awattorneys.com 11 SUNNY K. SOLTANI (Bar No. 209774) ssoltani@awattorneys.com JEFF M. MALAWY (Bar No. 252428) imalawy@awattorneys.com ALESHIRE & WYNDER, LLP 18881 Von Karman Avenue, Suite 1700 Irvine, California 92612 Telephone: (949) 223.1170 16 Facsimile: (949) 223.1180 17 Attorneys for Defendants City of Carson and City of Carson 18 Mobilehome Park Rental Review Board 19 UNITED STATES DISTRICT COURT 20 CENTRAL DISTRICT OF CALIFORNIA 21 COLONY COVE PROPERTIES, LLC, a Case No. CV 14-03242 PSG (PJWx) Delaware limited liability company, 23 Plaintiff, REVISED JOINT EXHIBIT LIST v. 24 CITY OF CARSON, a municipal Judge: Hon. Philip S. Gutierrez corporation; CITY OF CARSON Trial Date: April 28, 2016 MOBILEHOME PARK RENTAL REVIEW BOARD, a public administrative 27 body; and DOES 1 to 10, inclusive, 28 Defendants. Case No. CV 14-03242 PSG (PJWx)

Pursuant to Local Rule 16-6.1, the Minutes of the March 21, 2016 Pretrial Conference (Dkt. No. 110), and the April 18, 2016 Pretrial Conference (Dkt. No. 143), Plaintiff Colony Cove Properties, LLC ("Plaintiff" or "Colony Cove") and Defendants City of Carson and City of Carson Mobilehome Park Rental Review Board (collectively, the "City" or "Defendants") hereby submit the following Revised Joint Exhibit List.

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#### Colony Cove Properties, LLC v. City of Carson, et al. Case No. CV 14-03242 PSG (PJWx)

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<ul><li>10</li><li>11</li><li>12</li></ul>	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
13 14 15 16 17	8	General Electric Capital Corporation Letter to Jim Goldstein, dated February 17, 2006	Pltf	S	S			P 3/3
18 19 20 21 22	9	Hansen Financial Group Letter to James F. Goldstein, dated March 3, 2006	Pltf	S	S			Si
23 24 25 26	10	Art Tuverson Email to Mark Hansen, dated March 7, 2006	Pltf	S	S			Sylv

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#### Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 13 of 93 Page ID #:4928

2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3 4 5	11	Loan Disbursement Statement	Pltf	S	S			1/1/3
3 6 7 8 9 10 11 12 13 14 15 16 17	18	Handwritten cover letter from James Goldstein to Matt Crowe re: 5% capitalization rate, financing of the park, and Richard Close's comments about the difficulties and risks for park owners in the City CC005330-CC005345	Defs	S	S		1/2/15	W.
18 19 20	*21	Colony Cove Projected 2006 Income and Expenses CC005401	Defs	S	S			d/x
<ul> <li>21</li> <li>22</li> <li>23</li> <li>24</li> <li>25</li> <li>26</li> <li>27</li> <li>28</li> </ul>	23	Handwritten notes re: effect of property tax increase, capital improvement, and new space income on rent increase CC005347	Defs	S	S			N.S
~~		1		2		Case No. CV	14-03242 PS	CG (DIWy)

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Case No. CV 14-03242 PSG (PJWx)

Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
25	Supplement to Purchase Offer and Sales	Pltf	S	S			1/2/11
	Contract, entered into						
	as of March 29, 2006						
*26	First Amendment	Defs	S	S			
	to Purchase Offer and						2/10
	Sales						12/1
	Contract dated March					\	X
	7, 2006 CC000394- CC000395				÷		
28	Loan	Pltf					
	Agreement between		s	S			
	Colony Cove Properties,						3/1
	LLC as Borrow and						100,
	General Electric					`	χ,
	Capital Corporation						
	as Lender, dated March						
	30, 2006						
29	Promissory	Pltf					1,/
	Note for \$18,000,000.		S	S			1/13/
	00, dated March 30, 2006						Chlo

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## Case 2: 4-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 15 of 93 Page ID #:4930

2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3 4 5 6 7	30	Deed of Trust, Security Agreement and Fixture Filing, executed as of March 30, 2006	Pltf	S	S			X
9 0 1 2	35	Gilchrist & Rutter Letter to Kenneth Freschauf, dated March 27, 2008	Pltf	S	S			1/3/10
3 4 5 6 7	36	Self- Contained Appraisal Report of Rob A. Detling, dated March 13, 2007	Pltf	S	S			XX 18
3   ) 	39	Cal Am Properties Letter and Offer, dated January 30, 2006	Pltf	S	S			7/8/
2 3 4 5	40	David Weisswasser Summary of Offer and Offer	Pltf	S	S			1/3
5 7 3	41	Purchase Offer and Sales Contract	Pltf	S	S			1/3

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Case No. CV 14-03242 PSG (PJWx)

## Case 2: 4-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 16 of 93 Page ID #:4931

Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
46	Colony Cove Mobile Estates Application for Mobilehome Space Rent Increase, submitted on or around September 28, 2007	Pltf	S	S			yslu
47	Colony Cove Mobile Estates Application for Mobilehome Space Rent Increase, submitted on or around September 28, 2008	Pltf	S	S			1810
48	City of Carson Staff Report to Mobilehome Park Rental Review Board, dated February 13, 2008	Pltf	S	S			1/3/10

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Case No. CV 14-03242 PSG (PJWx)

## Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 17 of 93 Page ID #:4932

1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3 4 5	49	City of Carson Staff Report to	Pltf	S	S			
6		Mobilehome Park Rental						1/3/
7		Review Board, dated						W/
8	÷	June 10,						
9		2009	71.0					
10	50	Resolution No. 2008-	Pltf	S	S			
11		256: A Resolution		3				
12		Of The Carson			·			1/1
13		Mobilehome				·		1/3/
14	,	Park Rental Review					·	W,
15		Board Granting A						
16		General Rent Increase For	ļ					
17		Colony Cove Mobile						
18		Estates						
19	51	Resolution	Pltf		)			
20		No. 2009- 269: A						
21		Resolution Of The		S	S			1/1
22		Carson						0/,
23		Mobilehome Park Rental						100
24		Review Board						W \
25		Granting A General Rent						
26		Increase For			}			
27 28		Colony Cove Mobile Estates						

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#### Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 18 of 93 Page ID #:4933

1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3 4 5 6 7 8	54	Staff's Additional Property Tax Worksheet for Year 1 Application [Exhibit Y to Year 1 Staff Report) - June 2008	Defs	S	S			N N N N N N N N N N N N N N N N N N N
10 11	55	2006-07 Operating Expense Adjustments	Pltf	S	S			13/10
12 13 14 15 16 17 18 19 20 21 22 23	57	Resolution No. 97-185: A Resolution Of The Carson Mobilehome Park Rental Review Board Granting A Rent Increase For Carson Harbor Village Mobilehome Park	Pltf	S	s if other similar pre- purchase exhibits are admitted; if not, obj relevance	Relevant to Colony Cove's expectations at the time it purchased the Park because Colony Cove's owner was aware of this Resolution when he decided to purchase the Park.		x/2/10

Case No. CV 14-03242 PSG (PJWx)

#### Case 2:14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 19 of 93 Page ID #:4934

1							_	~ .	l
2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted	
3 4	*58	City of Carson Staff	Pltf		s if other similar	Admissible and relevant as a rebuttal			
5		Report to Mobilehome		s	pre- purchase exhibits	exhibit if any of			
6		Park Rental Review			are	Defendants' Exhibits			
7		Board, dated October 25,			admitted; if not, obj	2031–2052, 2056–2058			
8		2000			relevance	are		N.	
9				,	s if other	admitted.  Relevant to			
10	59	City of Carson Staff	Pltf		similar	Colony			
11		Report to			pre-	Cove's			
12	·	Mobilehome Park Rental		S	purchase exhibits	expectations at the time it			
13		Review Board, dated			are admitted;	purchased the Park			
14		February 28,			if not, obj relevance	because Colony			
15	·	2001				Cove's owner was			
16						aware of			
17						this report when he			
18						decided to		e <sup>c</sup>	
19				,		purchase the Park.			

#### Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 20 of 93 Page ID #:4935

- 1							· · · · · · · · · · · · · · · · · · ·	
1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3 4 5 6 7 8 9 10 11 12 13	60	Resolution No. 2001- 212: A Resolution Of The Carson Mobilehome Park Rental Review Board Granting A Rent Increase For Carson Harbor Village Mobilehome Park	Pltf	S	s if other similar pre- purchase exhibits are admitted; if not, obj relevance	Relevant to Colony Cove's expectations at the time it purchased the Park because Colony Cove's owner was aware of this Resolution when he decided to purchase the Park.		2 de de la companya d
14 15 16 17 18	61	Gilchrist & Rutter Letter to Kenneth Freschauf, dated September 28, 2007	Pltf	S	S			N/S

Case No. CV 14-03242 PSG (PJWx)

## Case 2: 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 21 of 93 Page ID #:4936

1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3 4	62	Supplemental Report of	Pltf	S	obj: hearsay, irrelevant	Party admission, not hearsay,		
5		Investigation of City Clerk		J	,	because the		
6		Jim Dear,			prejudice far	City authorized	1.11	
7		dated October 15,			outweigh	the report	, %	
		2015			s probative	under FRE 801(d)(2);	118	
8		·			value,	public	$\mathcal{A}$	
9					foundatio	record;		
10					n, reasons	relevant to whether the	0.	
					set forth	City was	" Kar	
11		•			in	politically	4 4	
12					Motion	motivated when it		
13					In Limine	amended		
						the		
14						Guidelines		2 2
15						and decided Colony	,	
16						Cove's rent-		
						increase		
17						applications		
18						for Years 1 and 2, as		
19						confirmed	:	
1						by the		
20						Court's		
21				,		ruling . (See Dkt.		
						No. 161		
22						(Order		
23						Denying		
24						Defendants' Motion in		
						Limine No.		
25						4 to		
26						Exclude		
27				,		Evidence of Political		1
28						Pressure).)	],	

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## Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 22 of 93 Page ID #:4937

2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3 4	65	January 19, 2006 typed	Defs	S	S			
5		cover letter from James					,	
6		Goldstein to Matt Crowe						1/1
7		re: 5%						18
8		capitalization rate,						11/0
9		financing of the purchase,						
0		and Richard Close's						
.1		comments about the				- - -		
2		difficulties and risks for						
3		a park owner in Carson						
5		CC000648						·
6	*68	City of Carson Staff	Pltf		s if other similar	Admissible and relevant		
7		Report to		S	pre- purchase	as a rebuttal exhibit if		
8		Mobilehome Park Rental		3	exhibits are	any of Defendants'		
9		Review Board, dated			admitted; if not, obj	Exhibits 2031–2052,		
20		November 20, 1996			relevance	2056–2058 are		
21						admitted.		
22	71	Subpoena to Testify at a	Pltf	S	s			
23		Deposition in						1/2/
24		a Civil Action to		,				W/
25		Kenneth Baar		l			<u> </u>	<u></u>

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## Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 23 of 93 Page ID #:4938

1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3	74	Analysis of	Defs		Obj:	Admissible		
4	, ,	the Colony	2 425	S	Improper	expert		
5		Cove Mobile		<b>.</b>	expert	opinion for reasons in	•	
		Estates Rent Increase			opinion for the reasons	Def's	1/1/1	1, 1
6		Application			set forth in	Opposition	10	1/0
7		by Kenneth			Plaintiff's	to Plf's MIL	\cs.	100/
		K. Baar (Feb.		·	Motion in	No. 7		<b>6</b> \
8.		2008)			Limine No.	("City's		
9			÷		7 (See Dkt. No. 69).	Opp."). Fair return		
					Fair return	analysis is		
10					analysis	relevant as		
11					irrelevant to	explained in		
					any issues	City's Opp.		
12		·			to be tried.	Mr.		
13					( <i>Id.</i> ) Relies upon an	Goldstein should have	٠	
1.4					inadmissibl	made		
14.					e chart	himself		.*
15					comparing	aware of		
16					rent	pre-		
16					increases	purchase		
17					that Mr. Baar did not	cases in order for his		
18					prepare.	expectations		
10					Relies on	to be	·	
19					pre-	reasonable.		
20					purchase			
					cases that			
21					Mr. Goldstein			
22					was not			
					aware of.			
23								
24								

#### Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 24 of 93 Page ID #:4939

Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
75	Supplemental Analysis of Applicant's Submissions of March 27 and May 29, 2008 by Kenneth K. Baar (June 2008)	Defs	S	Obj: Improper expert opinion for the reasons set forth in Plaintiff's Motion in Limine No. 7. (See Dkt. No. 69.)	Admissible expert opinion for reasons in Def's Opposition to Plf's MIL No. 7.	John Jan	5/1/2.

## Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 25 of 93 Page ID #:4940

1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3 4	76	Analysis of the Colony	Defs	S	Obj: Improper	Admissible expert		
5		Cove Mobile			expert opinion for	opinion for reasons in		
-		Estates Rent			the reasons	Def's		0, .
6		Increase Application			set forth in	Opposition		1/10
7		by Kenneth			Plaintiff's	to Plf's MIL		10,
_ ′		K. Baar (June			Motion in	No. 7		1
8		2009)			Limine No.	("City's	·	
		,		1	7 (See Dkt.	Opp.").		
9				_	No. 69).	Fair return	•	
10					Fair return	analysis is		,
					analysis	relevant as		
11					irrelevant to	explained in		
12	1	,			any issues to be tried.	City's Opp. Mr.		ļ.
14					( <i>Id.</i> ) Relies	Goldstein		
13					upon an	should have		
					inadmissibl	made		
14					e chart	himself	:	
15					comparing	aware of		
13					rent	pre-		
16					increases	purchase		
17					that Mr.	cases in		
17					Baar did not	order for his		
18					prepare.	expectations		
					Relies on	to be		
19					pre-	reasonable.		
20					purchase			
20					cases that			
21					Mr.			
					Goldstein			
22				1.	was not	·		
23			<u> </u>	<u></u>	aware of.		<u> </u>	

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## Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 26 of 93 Page ID #:4941

Exhibi No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
77	Attachment 1 to Baar	Defs	S	Obj: Improper	Admissible expert opinion for		
	FRCP			expert opinion for	reasons in	_	
	26(a)(2)(B) Report			the reasons	Def's	$ U_{\ell} $	
	Report			set forth in	Opposition	10%	
				Plaintiff's	to Plf's MIL		
				Motion in	No. 7	. , .	
		,		Limine No.	("City's		
				7 (See Dkt.	Opp.").		
1				No. 69).	Fair return	·	
			İ	Fair return	analysis is		
				analysis	relevant as		
		İ		irrelevant to	explained in		
				any issues	City's Opp.		1
1		ļ		to be tried.	Mr.		
		İ		(Id.) Relies	Goldstein should have		
				upon an inadmissibl	made	,	
ļ				e chart	himself		
				comparing	aware of		
				rent	pre-		
				increases	purchase		
				that Mr.	cases in		
				Baar did not	order for his		
	*			prepare.	expectations		
				Relies on	to be		
				pre-	reasonable.		
				purchase			
				cases that			
				Mr.			
				Goldstein			
				was not			
			1	aware of.	,		

## Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 27 of 93 Page ID #:4942

I,								
1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3	70	Resolution	Dofa			Relevant to		
4	78	No. 84-057:	Defs			whether		
		A Resolution				Colony		11 1
5		Of The		S	S	Cove's		110
6		Carson				expectations		31
6		Mobilehome				were reasonable,		
7		Park Rental		*	•	because	\	)//
		Review				shows that		
8		Board				prior to		
9		Granting A				purchase of		
		Resident				Colony		
10		Increase For				Cove the		i i
, ,	,	Carson			•	Board did		
11	·	Harbor				not pass		
12		Village Mobilehome				through a		
		Park				new		•
13		lark				owner's		
14						purchase debt		
						service; a		
15						reasonable		
16					,	investor		
16						would have		
17						considered		
			·			the entirety		1
18						of the		
19		+ <b>\</b>	·			Board's past		
						practice, not		
20						just that		
21						which the		
<b>41</b>				,		investor		
22						found favorable		
23			<u> </u>	<u> </u>	<u> </u>	lavorable	<u> </u>	L

Case No. CV 14-03242 PSG (PJWx)

## Case 2:14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 28 of 93 Page ID #:4943

I.								
1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3	79	Resolution	Defs			Relevant to whether		
4	, ,	No. 2004-		$  $ $  $ $ $	Obj:	Colony	,	
5		225: A Resolution	•		Irrelevant to	Cove's	Di,	
6		Of The			Colony Cove's	expectations were	, 0/	
7		Carson Mobilehome		•	expectations	reasonable,	1/0	$ \beta\rangle$
		Park Rental			because Mr. Goldstein	because shows that	M /	5
8		Review			was not	prior to		
9		Board   Granting A			aware of	purchase of		Ì
10		General Rent		·	this decision at the time	Colony Cove the		
11		Increase For Paradise			he	Board did		
		Trailer Park	ļ		purchased the	not pass through a		
12					mobilehome	new		
13					park.	owner's		
14					,	purchase debt		
15						service; a		
						reasonable		
16						investor would have		
17						considered		
18			ļ			the entirety of the		
						Board's past		
19						practice, not		
20						just that which the		
21						investor		
22		!				found		
					<u> </u>	favorable		
23								

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Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
81	Chart Regarding City Resolutions	Defs	Obj. This is an unidentifie d chart allegedly summarizi ng City resolutions regarding rent decisions that was prepared by unnamed staff.	Obj: Exhibit to Mr. Baar's expert reports, which are inadmissibl e for the reasons stated in Plaintiff's Motion in Limine No. 7 (See Dkt. No. 69). Irrelevant because it references decisions that Mr. Goldstein was not aware of when purchasing the Park	Dr. Baar's reports are admissible expert opinion for reasons in Def's Opposition to Plf's MIL No. 7 ("City's Opp."). Mr. Goldstein should have made himself aware of prepurchase cases in order for his expectations to be reasonable.		
(84)	Uniform Standards of Professional Appraisal Practice (2010-2011 Edition)	Pltf	S	S			X 101
86)	Uniform Standards of Professional Appraisal Practice (2016-2017 Edition)	Pltf	S	S			

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Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
(87)	Assumptions and Limiting Conditions	Pltf	, S	S			7X3/
88	Appraiser's Certificate by James Brabant	Pltf	S	S			W.M
<b>89</b>	Excerpts from The Appraisal of Real Estate	Pltf	S	S			J. M. Day
92	Uniform Standards of Professional Appraisal Practice and Advisory Opinions (2006 Edition)	Pltf	S	S			Jan Jan Jan Jan Jan Jan Jan Jan Jan Jan
94	Expert Report of Peter A. Salomon, CPF, CFF, dated January 11, 2016	Pltf	s	S			13/10

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## Case 2: 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 31 of 93 Page ID #:4946

Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
95	Letter from	Defs	S	S			
			_				
	CPA, CFF to				·		
							911
	re: invoices						1100
							18/
	Salomon						W.
	LLP in the						
	Colony Cove						
		,		·			
	of Carson						
	invoice for						
	services						
	from January						
	1, 2016						
	2016						
*96	0.S. v. 429.59 Acres	Defs	S	S			1/1
	of Land (9th	:		·			1311
	612 F.2d 459						W/O
							1,1
1000		Pltf	S	S			1/8/1
	Offering						$ \mathcal{V}_{\mathcal{D}_{\rho}} $
							"\
			<u> </u>	<u> </u>		<u></u>	<u> </u>
	95	95 Letter from Peter A. Salomon, CPA, CFF to Matthew W. Close, Esq. re: invoices for services rendered by Salomon Forensics, LLP in the Colony Cove Properties, LLC v. City of Carson matter + invoice for services rendered from January 1, 2016 through January 31, 2016  *96 U.S. v. 429.59 Acres of Land (9th Cir. 1980) 612 F.2d 459	95 Letter from Peter A. Salomon, CPA, CFF to Matthew W. Close, Esq. re: invoices for services rendered by Salomon Forensics, LLP in the Colony Cove Properties, LLC v. City of Carson matter + invoice for services rendered from January 1, 2016 through January 31, 2016  *96 U.S. v. 429.59 Acres of Land (9th Cir. 1980) 612 F.2d 459  1000 Marcus & Millichap Offering Memorandu	95 Letter from Peter A. Salomon, CPA, CFF to Matthew W. Close, Esq. re: invoices for services rendered by Salomon Forensics, LLP in the Colony Cove Properties, LLC v. City of Carson matter + invoice for services rendered from January 1, 2016 through January 31, 2016  *96 U.S. v. 429.59 Acres of Land (9th Cir. 1980) 612 F.2d 459  1000 Marcus & Millichap Offering Memorandu  Peter A. Salomon Defs S	No.   By   Stipulated or Objection?   Stipulated or Objection?	No. By Stipulated or Objection? Support of Admissibility  95 Letter from Peter A. Salomon, CPA, CFF to Matthew W. Close, Esq. re: invoices for services rendered by Salomon Forensics, LLP in the Colony Cove Properties, LLC v. City of Carson matter + invoice for services rendered from January 1, 2016 through January 31, 2016 through January 31, 2016 (Cir. 1980) 612 F.2d 459  1000 Marcus & Millichap Offering Memorandu  Peter A. Stipulated or Objection? Stipulated or Objection? Support of Admissibility  Stipulated or Objection? Stipulated or Objection? Admissibility	No.   By   Stipulated or Objection?   Sipulated or Objection?   Identified

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1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3	1001	Resolution	Pltf	S	S			4/2.8/14
4		No. 98-010: A Resolution						
5		Of The City Of Carson	•					
6		Adopting						
7	٠	Revised Guidelines						
8		For Implementati						
9		on Of The						
10		Mobilehome Space Rent				·		
11		Control Ordinance,						
12		Chapter 7,						
13		Article IV, Of The	÷					
14		Carson Municipal						
15		Code And						
16		Replacing The Policy						
17		Guidelines For Capital		·	÷	·		
18		Improvement						
19		Rent Increases and						
20		Guidelines for						
21		Implementati						
22		on of the Mobilehome						
23		Space Rent Control						
24		Ordinance						
25								·

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27 28

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				· · · · · · · · · · · · · · · · · · ·				
1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3	1002	City of Carson	Pltf	S	S			1/0
5		Municipal Code,	·	· .	· · · · · ·			12/
6		Chapter 7, Mobilehome			- - -	·		W\
7		Space Rent Control						
8	1003	Resolution	Pltf	i				
9	1003	No. 06-149:	1 111	·				:
10		A Resolution Of The City		s	S			1/10
11		Council Of The City Of						
12		Carson,						XX,
13		California, Amending					· .	,
14		Resolution No. 98-010						
15		Adopting Revised						
16		Guidelines		1				
17		For   Implementati						
18		on Of The Mobilehome						
19		Space Rent						
20		Control Ordinance,					·	
21		Chapter 7, Article IV,						
22		Of The Carson						
23		Municipal						
24		Code						
	1							

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Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
1004 1004 1004 1004 1004 1004 1004 1004	Palacio de Anza v. Palm Springs Rent Review Commission, 209 Cal. App. 3d 116 (1989)	Pltf	S	obj: irrelevant , misleadin g to trier of fact	Relevant to Colony Cove's expectations at the time it purchased the Park because Colony Cove's owner was aware of this decision when he decided to purchase the Park.	XX / W	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
1005 1005 11 22 33 44 55 66 77	Carson Gardens, LLC v. City of Carson Mobilehome Park Rental Review Board, 135 Cal. App. 4th 856 (2006).	Pltf	S	obj: irrelevant misleadin g to trier of fact	Relevant to Colony Cove's expectations at the time it purchased the Park because Colony Cove's owner was aware of this decision when he decided to purchase the Park. (See Dkt. No. 149 (denying Defendants' Motion in Limine No. 2 to Exclude Carson		Wy/I

## Case 2:14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 35 of 93 Page ID #:4950

2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24		Peremptory Writ of Mandate in Carson Gardens, LLC v. City of Carson Mobilehome Park Rental Review Board, Los Angeles Superior Court Case No. BS 072845	I .	Stipulated or	Stipulated or	Support of Admissibility  Relevant to Colony Cove's expectations at the time it purchased the Park because Colony Cove's owner was aware of the decision and its common interpretation as requiring consideration of debt service and other acquisition costs, and the writ establishes the objective reasonablen ess of that understanding and expectation. (See Dkt. No. 149 (denying Defendants' Motion in	1	
<ul><li>25</li><li>26</li></ul>						Limine No. 2 to Exclude		
27						Carson Gardens).)		

#### Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 36 of 93 Page ID #:4951

$\begin{bmatrix} 1 \\ 2 \end{bmatrix}$	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3   4	1007	Admitted Facts	Pltf	N/A. Not evidence	Obj. City has no	The parties have jointly		
		1 4015			objection to providing	agreed that the jury		
5					this	may accept		
6					document to	these facts		
					jury. But	as admitted.		
7					City objects			
8					to placing it			
۱۳		,			on the	*		
9			1		Exhibit List			
٨					because it is			
0					not			
$_{1}\parallel$					evidence.			
					Further, Plaintiff			
2	•				added this			
3					to the			
					Exhibit List			
4					on April 24,			
5		•			2016. The			
۱ ا					Court's			
6					meet and			
.,					confer order			
7					re			
8					admissibilit			:
					y did not contemplate			
9					addition of			
0				,	new			
			1		exhibits			
1			-	,	near the eve			
$_{2}$			1		of trial		,	

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Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
1008	Historical Prices of S&P 500 (12/1/00 – 12/1/14)	Pltf	S	Obj. Plaintiff added this to the Exhibit List on April 24, 2016. City has not had sufficient time to prepare for Plf's use of this exhibit at trial. The Court's meet and confer order re admissibilit y did not contemplate addition of new exhibits near the eve of trial	The prices are properly subject to judicial notice as set forth in Colony Cove's proposed disputed jury instruction No. 14.		1,00%

## Case 2:14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 38 of 93 Page ID #:4953

Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
1009	Resolution No. 2003- 220: A Resolution of the Carson Mobilehome Park Rental Review Board Granting a Rent Increase for Carson Harbor Village Mobilehome Park	Pltf	S	Obj. Plaintiff added this to the Exhibit List on April 24, 2016. City has not had sufficient time to prepare for Plf's use of this exhibit at trial. The Court's meet and confer order re admissibilit y did not contemplate addition of new exhibits near the eve of trial	Relevant to Colony Cove's expectations at the time it purchased the Park because Mr. Goldstein was aware of this resolution when he decided to purchase the Park.		

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### Case 2:14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 39 of 93 Page ID #:4954

Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
1010	City of Carson Staff Report to Mobilehome Park Rental Review Board for Carson Harbor Village Mobilehome Park dated January 8, 2003	Pltf	S	Obj. Plaintiff added this to the Exhibit List on April 24, 2016. City has not had sufficient time to prepare for Plf's use of this exhibit at trial. The Court's meet and confer order re admissibilit y did not contemplate addition of new exhibits near the eve of trial	Relevant to Colony Cove's expectations at the time it purchased the Park because Mr. Goldstein was aware of this staff report when he decided to purchase the Park.		

### Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 40 of 93 Page ID #:4955

1.2								
1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3   4   5   6   7   8   9   10   11   12   13   14   15   16   17   18	2001	Complaint, Carson Harbor Village, Ltd v. City of Carson, U.S.DC CV-90- 03428-LEW [1991 WL634911], Filed on or about Oct. 22, 1990	Defs	S	Obj: Irrelevant; FRE 403 — any minimal probative value is substantiall y outweighed by the danger of unfair prejudice and confusion.	Relevant to Colony Cove's expectations at the time it purchased the Park because in this complaint Colony Cove's owner alleged the Ordinance does not allow recovery of debt service sufficient for a profit, and that he lost millions of dollars due to the Ordinance.	Algorithm of the second of the	Sis Sis

Case No. CV 14-03242 PSG (PJWx)

### Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 41 of 93 Page ID #:4956

	<u> </u>							
1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	No. 2002	Petition for Writ of Mandate, Carson Harbor Village, Ltd. v. City of Carson Mobilehome Park Rental Review Bd., LASC BS044580, Filed on or about April 22, 1997	Defs	-	•		Identified	Admitted
17						reasonable		
18						increases in rents.	·	
	1							

## Case 2: 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 42 of 93 Page ID #:4957

1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3	2003	Complaint,	Defs	S	Obj:	Relevant to		
4	2003	Carson	Ders	, s	Irrelevant;	Colony		i
		Harbor			FRE 403 —	Cove's		
5		Village, LTD			any minimal	expectations		
6		v. City of			probative	at the time it		
~		Carson, et al., U.S. DC			value is	purchased		
7		CV-01-			substantiall	the Park because in		
8		04799-RJK,			y outweighed	this	4	
8		Filed on or			by the	complaint		
9		about May			danger of	Colony		
10		29, 2001			unfair	Cove's		
10					prejudice	owner		
11					and	alleged		
15		,			confusion.	Carson's		
12						Ordinance		
13			ļ	7		penalizes park owners		٠
1.4						and		
14						mandates		
15						lower		
1.0						returns each		!
16			[	Ì		year, and		
17						thereby		
				,		destroyed his		l.
18						expectations		
19		L	1	<u>.                                    </u>	<u> </u>	- Inpotentions	<u> </u>	

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2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3 4	2004	City of Carson City	Defs	S	Obj: Irrelevant.	Court denied Plf's		
5		Council Resolution			Inadmissibl e in light of	MIL No. 1, which		
6		No. 09-108, <i>Approving</i>			the Court's	sought to exclude this		·
7		Tentative Parcel Map			granting	evidence.		
8		No. 067049			Plaintiff's Motion in	Relevant to mitigation		
9		for a Mobilehome			<i>Limine</i> No. 4 which	of damages because this		
10		Resident Ownership			precludes arguments	approval gives		
11		Conversion of Colony			and evidence	Colony Cove the		
12		Čove, An Existing	,		regarding Colony	power to eliminate		
13		Mobilehome Park, dated	3		Cove's	Carson rent		
14		October 20,			value and operations	control in the park.		
15		2009 [12 pages]			after July 2009. (See	Relevant to expectations		
16		CAR000206- CAR000216			Dkt. Nos. 66, 146.)	because indicates		
17 18		٠			· · · · · · · · · · · · · · · · · · ·	intent for profitability		· 1
19		. •				by means other than		
20						recovering		
21						debt service Relevant to	,	
22						economic impact		
23						because an entitled park		
24						has higher value.		
25		<u> </u>	<u> </u>	<u>L</u>	<u> </u>		J	

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Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
2005	Final	Defs	S	Obj:	Court		
	Approved	,		Irrelevant.	denied Plf's		
	Subdivision	•		Inadmissibl	MIL No. 1,		
	Map for			e in light of	which		
	Conversion			the Court's	sought to		
	of Colony			order	exclude this		
	Cove Mobile			granting	evidence.		
	Estates to			Plaintiff's	Relevant to		
	Resident			Motion in	mitigation		
	Ownership [9	ļ		Limine No.	of damages		
	pages]			4 which	because this	,	
		1		precludes	approval		
				arguments	gives		
				and	Colony		
				evidence	Cove the		
				regarding	power to		
				Colony	eliminate		
				Cove's	Carson rent		
			•	value and	control in	·	
				operations	the park.		
				after July	Relevant to		
				2009. (See	expectations		i
				Dkt. Nos.	because		į
				66, 146.)	indicates		
	T c				intent for		
				ľ	profitability		
					by means		
					other than		
	·				recovering		
					debt service		
					Relevant to		
					economic		
					impact		
					because an		
					entitled park		
				,	has higher		
	,			<u></u>	value.	L	

## Case 2:14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 45 of 93 Page ID #:4960

Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
2006	Planning Commission	Defs	S	Obj: Irrelevant.	Court denied Plf's		
	Staff Report re Tentative			Inadmissibl e in light of	MIL No. 1, which		
	Parcel Map No. 067049,			the Court's order	sought to exclude this		
	17700 Avalon Blvd.			granting Plaintiff's	evidence. Relevant to		
	CAR000224- CAR000230		·	Motion in Limine No.	mitigation of damages		
,				4 which	because this		·
				precludes arguments	approval gives		i .
	~			and evidence	Colony Cove the		
				regarding Colony	power to eliminate		
				Cove's	Carson rent		
				value and operations	control in the park.		-
				after July 2009. (See	Relevant to expectations		
	,			Dkt. Nos. 66, 146.)	because indicates		
				33, 1133,	intent for profitability		
					by means		
	,				other than recovering	. '	
					debt service Relevant to		
					economic impact		
					because an entitled park		
					has higher value.		

### Case 2:14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 46 of 93 Page ID #:4961

						·	
Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
2007	Self-	Defs	S	S			
2007	Contained Appraisal	DUIS	~	~			
	Report by						1, ,
	Anderson &					!	
	Brabant, Inc.		;				XX
	for Colony Cove Mobile						$\mathcal{N}$
	Estates,						No.
	17700 Avalon						100
	Boulevard,						19, Y
	Carson,						
	California, Appraised for						
	City of						
	Carson dated						
	February 28, 2011				1		
	00645 -						
	00727						
		L	l	l			l

## Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 47 of 93 Page ID #:4962

Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
2008	Rebuttal Report by John G. Ellis, MAI, CRE, FRICS of Integra Realty Resources concerning Report Dated January 11, 2016, and Prepared by Peter A. Salomon, CPA, CFF For Colony Cove Properties, LLC dated February 8, 2016	Defs	S	S			
2009	Expert Report of James Brabant, MAI dated February 8, 2016 concerning Rob A. Detling's Self- Contained Appraisal Report dated March 13, 2007	Defs	S	S			

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REVISED JOINT EXHIBIT LIST

### Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 48 of 93 Page ID #:4963

Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
2010	Report by Anderson &	Defs	S	Obj: Irrelevant to	Relevant to Colony		<i>S</i> .
	Brabant, Inc.		·	any issue to	Cove's		11.42
	dated June 5,			be tried in	expectations		" ANY ON
	2008 for			this case for	at the time it	,	11/2
	review of the			the reasons	purchased		3
	September			set forth in	the Park		
	25, 2007 Fair			Plaintiff's	because it		
	Return			Motion in	indicates the		
	Analysis for			Limine No.	level of		
	Colony Cove Mobile			8. (See Dkt.	return		
	Estates	*		No. 71.)	Colony		
	prepared by				Cove should		
	John P. Neet,				have expected.		
	MAI 01498-				Relevant to		
	01511				economic		
					impact		
					because		
					indicates		
					Board's		
			•		decisions		
					placed		
					Colony	,	
	•				Cove on		
					same		
					economic		
			,		footing as at		
				<u>'</u>	time of		
	•				purchase.		

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1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3	2011	Table of	Defs	S	Obj: Any	Relevant to		
4		Colony Cove Profits, Years			financial information	Colony Cove's		
5		1-8 (demonstrativ			for Colony	expectations		
6		e)			Cove after Year 2	at the time it purchased	·	
7					Decision (July 2009)	the Park,		
8					is irrelevant	economic		
9					to the issues to be tried.	impact, because it		
10			-		(See Dkt Nos. 146 &	indicates the Park is a		
11					147	profitable		
12					(granting Plaintiff's	investment over the		
13					Motions <i>in</i> Limine Nos.	long term, as Colony		:
14					4 and 5.))	Cove expected.		
15	2012	Staff's Year	Defs	S	S	expected.		
16	2012	1 Colony Cove	Deis	5		į.		
17		Operating &						
18		Maintenance Expenses			ļ			D, ,
19		Calculations (2004-						
20		2006/2007)						10
21		[Exhibit page E-11 to Year						1/1
22		1 Staff Report1 -	Ì					
23		Report] - June 2008						
		<u>L</u>		1	1	J	L	1

### Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 50 of 93 Page ID #:4965

1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3	2013	Staff's adjustments	Defs	S	S			
4	·	to claimed						;
5		operating expenses for					•	
6		Year 2 Rent Increase	•			-		(1)
7		Application	:					7
8	·	[Exhibit pages D-15				·		1/0
9		thru D-17 of Year 2 staff						W
10		report] - June				·		
11		2009						
12	2014	Staff's Year 2 Colony	Defs	S	S			
13		Cove					·	
14		Operating & Maintenance						
15		Expenses Calculations	}		·			0,1
16	di	(2005-						
17		2007/2008) [Exhibit page				1		10
18		D-23 to Year 2 Staff				-		12/
19		Report] -						
20		June 2009	]					

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REVISED JOINT EXHIBIT LIST

## Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 51 of 93 Page ID #:4966

Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
2015	Colony Cove's Year 3 Rent Increase Application (08/09 Expense Year) - October 2009	Defs	S	Obj: Irrelevant and inadmissibl e pursuant to the Court's orders granting Plaintiff's Motions in Limine Nos.	Relevant to Colony Cove's expectations at the time it purchased the Park, and to economic impact, because it indicates the		
Ţ		3	·	4 and 5. (See Dkt	Park is an increasingly		
		<u>.</u>		Nos. 146 (granting	profitable investment		
				Plaintiff's Motion in	over the long term,		
			, ,	Limine No. 4 to exclude	as Colony Cove		
,				evidence regarding park value	expected.		
				after July 2009) &			
				147 (granting Plaintiff's			
	·			Motions in Limine No.	,		
				5 to exclude evidence of			
				Plaintiff's rent			
,				increase applications in Years 3–			
				5.))			

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## Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 52 of 93 Page ID #:4967

2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3	2016	Staff Report	Defs	S	Obj:	Relevant to		
4	2010	for Year 3	15015	S	Irrelevant	Colony		
5	·	Rent Increase Application	÷		and	Cove's		
3		(w/o			inadmissibl	expectations at the time it		
6		exhibits) -			e pursuant to the	purchased		
7		February			Court's	the Park,		
		2010		,	orders	and to	!	
8				·	granting	economic		
9					Plaintiff's	impact,		
9				<u> </u>	Motions in	because it		
10					Limine Nos. 4 and 5.	indicates the Park is an		
11					(See Dkt	increasingly		
11					Nos. 146	profitable		
12			·		(granting	investment		
13					Plaintiff's	over the		
15		:			Motion in	long term,	ı	
14					Limine No.	as Colony		
15					4 to exclude evidence	Cove expected.		
15					regarding	екрестей.		
16					park value			
17					after July			
	•				2009) &			
18					147			
19					(granting Plaintiff's			
17					Motions in			
20					Limine No.			
21					5 to exclude			
41					evidence of			
22					Plaintiff's			
23	,				rent			
					increase			
24					applications in Years 3–			
25					5.))			
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REVISED JOINT EXHIBIT LIST

## Case 2:14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 53 of 93 Page ID #:4968

Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
2017	Staff's adjustment to claimed	Defs	S	Obj: Irrelevant	Relevant to Colony Cove's		
	operating			inadmissibl	expectations	ļ	
				e pursuant			
	Increase	·		Court's	the Park,		
	[Exhibit			orders granting	and to economic		
	pages D-13			Plaintiff's	impact,		
	Year 2 staff			Limine Nos.	indicates the		
÷				4 and 5.	Park is an		
	2010			Nos. 146	profitable		
				(granting	investment		
				Motion in			
				Limine No.	as Colony		
				4 to exclude evidence	expected.		
				regarding	-		
		·	5	after July			
				2009) &		1	
				147 granting			
				Plaintiff's			
				Limine No.			
				5 to exclude			
				Plaintiff's			
				rent			
	,			applications			
				in Years 3—			
		2017 Staff's adjustment to claimed operating expenses for Year 3 Rent Increase Application [Exhibit pages D-13 to D-15 of Year 2 staff report] - February	2017 Staff's adjustment to claimed operating expenses for Year 3 Rent Increase Application [Exhibit pages D-13 to D-15 of Year 2 staff report] - February	2017 Staff's adjustment to claimed operating expenses for Year 3 Rent Increase Application [Exhibit pages D-13 to D-15 of Year 2 staff report] - February	2017 Staff's adjustment to claimed operating expenses for Year 3 Rent Increase Application [Exhibit pages D-13 to D-15 of Year 2 staff' report] - February 2010 Limine No. 4 to exclude evidence regarding park value after July 2009) & 147 (granting Plaintiff's Motions in Limine No. 5 to exclude evidence of Plaintiff's Motions in Limine No. 5 to exclude evidence of Plaintiff's Motions in Limine No. 5 to exclude evidence of Plaintiff's Motions in Limine No. 5 to exclude evidence of Plaintiff's Motions in Limine No. 5 to exclude evidence of Plaintiff's rent increase applications	2017 Staff's adjustment to claimed operating expenses for Year 3 Rent Increase Application [Exhibit pages D-13 to D-15 of Year 2 staff report] - February 2010 Limine No. 146 (granting Plaintiff's Motion in Limine No. 2009) & 147 (granting Plaintiff's Motions in Limine No. 5 to exclude evidence of Plaintiff's rent increase applications in Years 3—	Staff's adjustment to claimed operating expenses for Year 3 Rent Increase Application [Exhibit pages D-13 to D-15 of Year 2 staff report] - February 2010  Staff's adjustment to claimed operating expenses for Year 3 Rent Increase Application [Exhibit pages D-13 to D-15 of Year 2 staff report] - February 2010  Staff's adjustment to claimed operating expenses for Year 3 Rent Increase Application [Exhibit pages D-13 to D-15 of Year 2 staff report] - February 2010  Staff's adjustment to claimed operating expenses for Year 3 Rent Increase for Year 3 Rent Increase applications in Year 3- Increasing Plaintiff's Motion in Limine No. 4 to exclude evidence regarding park value after July 2009) & 147 (granting Plaintiff's Motions in Limine No. 5 to exclude evidence of Plaintiff's rent increase applications in Years 3-

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1								
2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3 4	2018	Staff's Year 3 Colony Cove	Defs	S	Obj: Irrelevant	Relevant to Colony Cove's		
5		Operating &			and inadmissibl	expectations		
		Maintenance			e pursuant	at the time it		
6		Expenses Calculations			to the	purchased		
7		(07/08-08/09)			Court's orders	the Park, and to		
8		[Exhibit page			granting	economic		
		D-17 to Year			Plaintiff's	impact,		
9		3 Staff			Motions in	because it		
10		Report] - February			Limine Nos. 4 and 5.	indicates the Park is an		
11		2010			(See Dkt	increasingly		
11					Nos. 146	profitable		
12					(granting	investment		
13					Plaintiff's	over the		!
			!		Motion in Limine No.	long term, as Colony	,	
14					4 to exclude	Cove		
15					evidence	expected.		
					regarding			
16					park value after July			
17					2009) &			
18					147			
					(granting			
19					Plaintiff's			
20					Motions in Limine No.			
			ļ		5 to exclude			
21					evidence of			
22					Plaintiff's			
23					rent increase			
					applications			
24					in Years 3–			
25					5.))			
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## Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 55 of 93 Page ID #:4970

		*						
1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3	2019	Colony	Defs	S	Obj:	Relevant to		
4		Cove's Year 4 Rent			Irrelevant	Colony		
5		Increase	İ		and inadmissibl	Cove's expectations		
		Application			e pursuant	at the time it		
6		(09/10			to the	purchased		
7		Expense			Court's	the Park,		
		Year) - October 2010			orders	and to		
8		0000001 2010			granting Plaintiff's	economic impact,		
9					Motions in	because it		
					Limine Nos.	indicates the		
10					4 and 5.	Park is an		
11					(See Dkt	increasingly		
		*			Nos. 146	profitable		
12					(granting	investment		
13					Plaintiff's Motion <i>in</i>	over the long term,		
			[		Limine No.	as Colony		
14					4 to exclude	Cove		
15					evidence	expected.		
16					regarding			
16					park value			
17					after July 2009) &			
18					147			
10					(granting			
19					Plaintiff's			
20					Motions in			
					Limine No. 5 to exclude			
21					evidence of			
22					Plaintiff's			
					rent			
23					increase			
24	•				applications			
					in Years 3–	·		
25			<u> </u>	<u> </u>	5.))		<u></u>	<u> </u>
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#### Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 56 of 93 Page ID #:4971

Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
2020	Staff Report for Year 4	Defs	S	Obj: Irrelevant	Relevant to Colony		
}	Rent Increase Application			and inadmissibl	Cove's expectations		
	(w/o exhibits) -			e pursuant to the	at the time it purchased		
	March 2011			Court's orders	the Park,		
				granting	economic		
3			r	Plaintiff's Motions <i>in</i>	impact, because it		
				Limine Nos. 4 and 5.	indicates the Park is an		
				(See Dkt Nos. 146	increasingly profitable		
	•			(granting Plaintiff's	investment over the		
		}		Motion in	long term,		
				Limine No. 4 to exclude	as Colony Cove		
				evidence regarding	expected.		
				park value after July			
				2009) & 147			
				(granting Plaintiff's			
				Motions in			
				Limine No. 5 to exclude		!	
				evidence of Plaintiff's			
				rent increase			
				applications in Years 3–			
				5.))	]		

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## Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 57 of 93 Page ID #:4972

Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
2021	Staff's	Defs	S	Obj:	Relevant to		*
	adjustments			Irrelevant	Colony		
i	to claimed			and	Cove's	,	
	operating expenses for			inadmissibl	expectations		
	Year 4 Rent			e pursuant to the	at the time it purchased		
	Increase			Court's	the Park,		
	Application	1		orders	and to		
	[Exhibit			granting	economic		
	pages D-21			Plaintiff's	impact,		
	to D-27 of	1	·	Motions in	because it		
	Year 4 staff			Limine Nos.	indicates the		i
	report] -			4 and 5.	Park is an		
,	March 2011			(See Dkt	increasingly		
				Nos. 146	profitable		
				(granting Plaintiff's	investment over the	l	
				Motion in	long term,		
				Limine No.	as Colony		
			<u>.</u>	4 to exclude	Cove		
				evidence	expected.		
				regarding			
				park value			
				after July			
			1	2009) &			
				147			
				(granting Plaintiff's			
				Motions in			
				Limine No.			
				5 to exclude			
				evidence of			
	·		-	Plaintiff's			
				rent			
				increase			
				applications			
·		1		in Years 3–			
			l	5.))	<u> </u>		1

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## Case 2:14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 58 of 93 Page ID #:4973

Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
2022	Staff's Year 4 Colony Cove	Defs	S	Obj: Irrelevant	Relevant to Colony		
	Operating &			and inadmissibl	Cove's expectations		
	Maintenance Expenses			e pursuant to the	at the time it purchased		
	Calculations (08/09-09/10)			Court's orders	the Park,		
	[Exhibit page D-14 to Year			granting	economic		
	4 Staff			Plaintiff's Motions <i>in</i>	impact, because it		
	Report] - March 2011			Limine Nos. 4 and 5.	indicates the Park is an		
				(See Dkt Nos. 146	increasingly profitable		i
				(granting	investment		:
				Plaintiff's Motion <i>in</i>	over the long term,		
				Limine No.	as Colony		
				4 to exclude	Cove		
	,			evidence regarding	expected.		
				park value			
				after July			
				2009) & 147			
				(granting			
				Plaintiff's			
				Motions in Limine No.			
				5 to exclude			
				evidence of			
				Plaintiff's rent			
				increase			
				applications			
				in Years 3–			
		l	<u> </u>	5.))	J		

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## Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 59 of 93 Page ID #:4974

	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
	2023	Colony	Defs	S	Obj:	Relevant to		
		Cove's Year			Irrelevant	Colony		
		5 Rent Increase			and	Cove's		
		Application			inadmissibl e pursuant	expectations at the time it		
		(2011		·	to the	purchased		
		Expense		-	Court's	the Park,		
		Year) -			orders	and to		
I		March 2012			granting	economic		
					Plaintiff's	impact,		
					Motions in	because it		
	**				Limine Nos.	indicates the		
				·	4 and 5.	Park is a		
				·	(See Dkt Nos. 146	profitable investment	,	
ı					(granting	over the		
				1	Plaintiff's	long term,		
					Motion in	as Colony		
			]		Limine No.	Cove		
					4 to exclude	expected.		
					evidence			
	•				regarding			
۱		,			park value			
	-				after July 2009) &	·		
				ļ	147			
					(granting			
			1		Plaintiff's			
					Motions in			
					Limine No.			
╢			}		5 to exclude		=	
					evidence of			
					Plaintiff's			
					rent increase			
					applications			
╵║					in Years 3—			
			1		5.))	1		

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## Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 60 of 93 Page ID #:4975

Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admittee
2024	Staff Report for Year 5 Rent Increase	Defs	S	Obj: Irrelevant and	Relevant to Colony Cove's	·	
	Application (w/o			inadmissibl	expectations at the time it		
	exhibits) -			e pursuant to the	purchased		
	September			Court's	the Park,		
	2012			orders	and to		
				granting	economic		
			ļ	Plaintiff's	impact,		
				Motions in	because it		
		,	<i>'</i>	Limine Nos.	indicates the		
				4 and 5. (See Dkt	Park is a profitable		
				Nos. 146	investment		
		]		(granting	over the		i   
				Plaintiff's	long term,		
		ļ		Motion in	as Colony		,
				Limine No.	Cove		
				4 to exclude	expected.		
				evidence			
				regarding park value			
<u> </u>		,		after July			
				2009) &			
				147			
				(granting	ļ.		
				Plaintiff's			
!				Motions in			
				Limine No.			
			1	5 to exclude evidence of			
				Plaintiff's			
ř		1		rent			
				increase			
				applications	,		
				in Years 3—			
,		l		5.))			<u> </u>

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## Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 61 of 93 Page ID #:4976

$\begin{vmatrix} 1 \\ 2 \end{vmatrix}$	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3	2025	Staff	Defs	S	Obj:	Relevant to		
4	2023	adjustments	Deis		Irrelevant	Colony		
		to claimed			and	Cove's		
5	,	operating expenses for			inadmissibl	expectations		
6		Year 5 Rent			e pursuant to the	at the time it purchased		
		Increase			Court's	the Park,		
7		Application			orders	and to		
8		Exhibit			granting	economic		
		pages D-23			Plaintiff's	impact,		
9		to D-24 of			Motions in	because it		
10		Year 5 staff			Limine Nos.	indicates the		
10		report] –			4 and 5.	Park is a		
11		September 2012	1		(See Dkt	profitable		
12		2012			Nos. 146 (granting	investment over the	,	
12		/	1		Plaintiff's	long term,		
13					Motion in	as Colony		
1.4					Limine No.	Cove		
14					4 to exclude	expected.		
15					evidence			
					regarding			
16		,		-	park value		-	
17					after July			
					2009) & 147			
18					(granting			
19				ļ	Plaintiff's	1		
		·			Motions in			
20					Limine No.	ļ		
21					5 to exclude			
					evidence of			
22	,		1		Plaintiff's			
23					rent			
43					increase applications		-	
24					in Years 3—			
25				1	5.))	1		

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1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3	2026	Staff's Year	Defs	S	Obj:	Relevant to		
4	2020	5 Colony	2015	~	Irrelevant	Colony		
5		Cove Operating &			and inadmissibl	Cove's expectations		
ا ا		Maintenance	·		e pursuant	at the time it		
6		Expenses			to the	purchased		
7		Calculations	."		Court's	the Park,		
		(2009/2010-   2011)			orders	and to		
8		Exhibit page			granting Plaintiff's	economic impact,		
9		D-20 to Year	-		Motions in	because it		
10		5 Staff			Limine Nos.	indicates the		
10		Report] -			4 and 5.	Park is a		
11		September			(See Dkt	profitable		
12		2012			Nos. 146	investment		
12	·				(granting Plaintiff's	over the long term,		
13			<u> </u>		Motion in	as Colony		
14					Limine No.	Cove	-	i i
l		•	ĺ		4 to exclude	expected.		
15					evidence			
16					regarding park value			
					after July			
17					2009) &			
18	Ì				147			
					(granting		,	
19					Plaintiff's			
20					Motions in Limine No.			
	·				5 to exclude			
21					evidence of			
22					Plaintiff's			
23					rent			
					increase applications			
24					in Years 3–			
25				,	5.))			

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	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
	*2027	Carson Harbor	Defs	S	S			
		Village, Resolution	:			·		11.1
		84-057: Staff Report						8/
		presented at Rent Increase				·	:	$\sqrt{N}$
		Hearing CAR116770-						1/1
_		CAR116772						<u>.</u>
	*2028	Carson Harbor	Defs	S	S		1:0	
		Village, Resolution					100/	<i>ll</i> ,
.		84-057: Application						9/
		for Rent						70
.		Increase CAR116775-						10
-	*2020	116787 Carson	Dofa	S				
; <b> </b>	*2029	Harbor Village,	Defs	3				
		Resolution		N.				
	1	84-057: Board						
		meeting			<u> </u>			$U_{i,j}$
	·	minutes w/ Rochelle						9/
		Brown testimony:						100
		relevant						10/
		pages CAR116689,						
		116694 <b>-</b> 116694						
;		(Relevant Excerpts)						
,   <del> </del>	-	LACCIPINI		J	<u> </u>	<u>.1</u>		

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1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3	*2030	Carson	Defs	S	S			
4		Harbor Village,						11 1
5	2	Resolution 84-057: CHV						1 0/1 x
6		Appraisal						12,
7		filed with first CHV						N
8		application						
9	<u>[</u>	for rent increase	•					
10		CAR116793- CAR116810	•					
		CARTIOOTO	L		l	1	1	

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						· · · · · · · · · · · · · · · · · · ·		
2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3	*2031	Citation	Dofa	S	Obj:	Relevant to		
4	1 *2031	Mobilehome	Defs	) 	Irrelevant to	whether		
		Park,			Colony	Colony		
5	·	Resolution			Cove's	Cove's		
6	1	88-107: Staff			expectations	expectations		
٥		Report			because Mr.	were		
7		presented at rent increase			Goldstein	reasonable,		
		hearing			was not	because		
8		CAR153957-			aware of	shows that prior to		
9		CAR153979			this report at the time	purchase of		
					that he	Colony		
10					purchased	Cove the		
11					the Park.	Board did		
						not pass		
12			·		•	through a		
13						new		
13.						owner's		
14					İ	purchase debt		
1.5					•	service; a		
15		·				reasonable		
16				1		investor		
177						would have		
17						considered		
18						the entirety		
						of the		
19						Board's past		
20		•				practice, not		
						just that which the		
21				<b>,</b>		investor		:
22						found		
						favorable		
23		<u> </u>	L	I	<u> </u>			<u> </u>

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## Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 66 of 93 Page ID #:4981

1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3	*2032	Citation	Defs	S	Obj:	Relevant to		
4	2032	Mobilehome	Ders	3	Irrelevant to	whether		
		Park,			Colony	Colony		
5	:	Resolution 88-107:			Cove's	Cove's		
6		Resolution			expectations because Mr.	expectations were		
		88-107			Goldstein	reasonable,		
7		CAR179419-			was not	because		
8		CAR179422		í.	aware of	shows that		
ľ					this	prior to		
9		•			resolution at	purchase of		
10					the time that	Colony Cove the		
					he purchased	Board did		
11					the Park.	not pass		
12						through a		
						new		!
13				·		owner's		
14						purchase		
1						debt		
15			ļ			service; a reasonable		
16			ĺ			investor		
						would have		
17						considered		
18						the entirety		,
						of the		
19		ı			•	Board's past		
20						practice, not just that		
						which the		
21			1			investor		
22						found		
						favorable		
23.		1						

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l.				·····				
2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3	*2033	Citation	Defs	S	Obj:	Relevant to	* !	
4	2033	Mobilehome	Dels	, s	Irrelevant to	whether		
		Park, Resolution			Colony	Colony		
5		88-107:			Cove's expectations	Cove's expectations	:	
6		Newspaper			because Mr.	were		
7		Article	ļ		Goldstein	reasonable,		
_		CAR154043-	İ		was not	because		
8		CAR154045			aware of	shows that		
9			1		this article	prior to	,	
9					at the time that he	purchase of Colony		
10					purchased	Cove the		
11	,				the Park.	Board did		
						not pass		
12						through a		
13						new owner's		
						purchase		
14						debt		
15						service; a		
			ĺ	,		reasonable		
16						investor		
17			Ì			would have considered		
10						the entirety		
18						of the		
19						Board's past		
20			1			practice, not		
20						just that		
21						which the investor		
22						found	_	,
						favorable		
23					-			

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		Ву	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Support of Admissibility	Identified	Date Admitted
*2034	Nu-way	Defs	S	Obj:	Relevant to		
205.	Senior			Irrelevant to	whether		
	Mobilehome	ļ		Colony	Colony		
	Park, Resolution	<b>i</b>		Cove's	Cove's		
	92-151: Staff			expectations because Mr.	expectations		
	Report +			Goldstein	were reasonable,		
	Exhibit A to	1		was not	because		
	Staff Report			aware of	shows that		
	(Application			this report	prior to		
	for Rent			at the time	purchase of		
	Increase)			that he	Colony		
	CAR169043-		<u> </u>	purchased	Cove the		
	CAR169062			the Park.	Board did	e e	
		,			not pass		
					through a		
		*			new		
					owner's		
					purchase debt		
1			1.		service; a		
İ					reasonable		
	4				investor	]	
		ĺ			would have		
İ					considered		
					the entirety		
					of the		
			1		Board's past		
					practice, not		1
					just that		
	,				which the investor		
					found		
				,	favorable		

#### Case 2:14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 69 of 93 Page ID #:4984

1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3	*2035	Nu-way	Defs	S	Obj:	Relevant to		
4	2033	Senior	Dels		Irrelevant to	whether		
H		Mobilehome			Colony	Colony		
5		Park, Board			Cove's	Cove's		
6		Resolution 92-151			expectations	expectations	u.	
		CAR179642-		·	because Mr.	were		
7		CAR179645			Goldstein was not	reasonable, because		
8				ļ	aware of	shows that		
8					this	prior to		
9					resolution at	purchase of	·	
10		,			the time that	Colony		
10					he	Cove the		
11					purchased	Board did	,	
					the Park.	not pass		
12					ľ	through a		
13						new		
						owner's purchase		
14	,			,		debt		
15						service; a		
13						reasonable		
16						investor		
17						would have		
1 /						considered		
18			Ì			the entirety		
10					·	of the		
19						Board's past		
20						practice, not just that		
			1			which the		
21				}		investor		
22						found		
						favorable		
23			•			<u> </u>		

Case No. CV 14-03242 PSG (PJWx)

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1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3 4	*2036	Carson Gardens Trailer	Defs	S	Obj: Irrelevant	Relevant to whether Colony		į.
5		Lodge,				Colony Cove's	,	
		Resolution				expectations	·	
6		01-215: Staff				were		
7		Report + Exhibit A to			1	reasonable, because		<b>1</b>
8		Staff Report				shows that		
ŀ		(Application				prior to		
9		for Rent				purchase of		
10		Increase)				Colony		
ļ		CAR068289- CAR068330				Cove the		
11		CARUU0055U				Board did not pass		
12						through a	•	
			ļ			new		
13					1	owner's		
14						purchase		
	;					debt		Į
15						service; a reasonable		
16						investor		
						would have		
17						considered		
18						the entirety		
						of the		
19						Board's past practice, not		
20						just that		
						which the		
21						investor		
22						found		
23			<u> </u>		<u> </u>	favorable		

# Case 2:14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 71 of 93 Page ID #:4986

- 11								
1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3	*2037	Carson	Defs	S	Ohi	Relevant to		
4	*2037	Gardens	Deis	3	Obj: Irrelevant	whether		
		Trailer			1110101010	Colony		
5		Lodge,				Cove's		
6		Resolution	,			expectations		
١		01-215 CAR180043-			5	were		
7		CAR180043				reasonable,		
		CARTOUT				because shows that		
8						prior to		
9					·	purchase of		
						Colony		
10						Cove the		
11						Board did		
i I		•				not pass		
12						through a		
12			ļ			new		
13		·				owner's		
14						purchase		
			}			debt		
15			Ì			service; a		
16						reasonable		
10	ļ		ļ			investor would have		
17						considered		
					1	the entirety		
18						of the		
19		· ·	1		1	Board's past		
•	•			į		practice, not		
20		2				just that		
21					1	which the		
21						investor		
22		·				found		
		,			]	favorable		
23		<u> </u>				-		

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1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3 4	*2038	Carson Gardens Trailer	Defs	S	Obj: Irrelevant. Los Angeles	Relevant to whether Colony		
5		Lodge, Resolution			County Superior	Cove's expectations		
6 7		04-227 CAR180135- CAR180144			Court ultimately concluded	were reasonable, because		
8		Criticoliii			that the Board erred	shows that		
9					in not taking into	purchase of Colony		
11					account debt service	Cove the Board did		·
12	i				in this resolution and	not pass through a new		
13 14			,		California Court of	owner's purchase	i	
15					Appeal affirmed.	debt service; a reasonable		
16						investor would have		
17 18						considered the entirety		
19						of the Board's past		
20						practice, not just that which the		
<ul><li>21</li><li>22</li></ul>						investor found		
23			<u></u>			favorable		<u> </u>

# Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 73 of 93 Page ID #:4988

Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
*2039 *2039 *2039 *2039 *3 *4 *3 *4 *3 *4 *4 *4 *5 *6 *6 *7 *8 *8 *9 *1 *1 *1 *1 *1 *1 *1 *1 *1 *1	Carson Gardens Trailer Lodge, Resolution 04-227: Table of Historical Applications and Debt Service, 1996-2003 [excerpt from Exhibit J to Staff Report presented at Rent Application Hearing], pp. J25-J27 CAR000918- CAR000920	Defs	Objection?  Obj. This is an unidentifie d chart allegedly summarizi ng City resolutions regarding rent decisions that was prepared by unnamed staff.	Objection?  Obj: Irrelevant to Colony Cove's expectations because the chart reference decisions that Mr. Goldstein was not aware of when purchasing the Park.	Relevant to whether Colony Cove's expectations were reasonable, because shows that prior to purchase of Colony Cove the Board did not pass through a new owner's purchase debt service; a reasonable investor would have considered the entirety of the Board's past practice, not just that which the investor found		

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Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
*2040	Carson	Defs	S	Obj:	Relevant to		
2010	Gardens	2015	~	Irrelevant.	whether		
	Trailer			Los Angeles	Colony	i	
	Lodge,			County	Cove's		
1	Resolution			Superior	expectations		
	04-227:			Court	were		
	Analysis of			ultimately	reasonable,		
•	Carson			concluded	because		
	Gardens Rent			that the	shows that		
	Increase			Board had	prior to		
	Application,			erred in not	purchase of		
	Dr. Kenneth			taking into	Colony		
	K. Baar,			account	Cove the		
	dated March			debt service	Board did		
	2004			in this	not pass		
	CAR000921-			resolution	through a		
	CAR00962			and	new		
				California	owner's		
			3	Court of	purchase		
				Appeal	debt		
				affirmed.	service; a		
				Improper	reasonable		
				expert	investor		
		1		testimony	would have		
				for the	considered		
				reasons set	the entirety		
				forth in	of the		Į
	,			Plaintiff's	Board's past		
				Motion in	practice, not		
				Limine No.	just that		
		1		7. (See Dkt.	which the		
				No. 69.)	investor		
	•				found		
		<u> </u>	I	<u> </u>	favorable	<u> </u>	<u> </u>

### Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 75 of 93 Page ID #:4990

Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
*2041	Carson Gardens	Defs	S	Obj: Irrelevant to	Relevant to whether		
	Trailer			Mr.	Colony		
	Lodge,			Goldstein's	Cove's		
	Resolution			expectations	expectations		
	2006-242			at the time	at the time it		
	CAR180271-			he	purchased	:	
	CAR180281			purchased	the Park		
			•	the Park	were		
				because the	reasonable,		
				resolution	because		i
		-		was handed	indicates		
		,		down on	Board's		
				June 28,	continuing		
				2006, and	use of		
				Mr.	formulas		
				Goldstein	that		
				purchased	disregard	•	
				the Park in	debt		
	<u> </u>			April 2006.	service.		

## Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 76 of 93 Page ID #:4991

1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3	*2042	Paradise	Defs	S	Obj:	Relevant to		
4	2072	Trailer Park,	DOIS	5	Irrelevant to	whether		
5		Resolution 04-225: Staff			Colony	Colony		
. 3		Report +			Cove's expectations	Cove's expectations		
6	٠	Exhibit A to			because Mr.	were	$\chi V$	
7		Staff Report			Goldstein	reasonable,	$  \bowtie '  $	
		(Application for Rent			was not	because		
8		Increase)	1		aware of	shows that		
9		CAR169272-			this resolution at	prior to purchase of		
10		CAR169302			the time that	Colony		
10			[		he	Cove the		
11					purchased	Board did		
12			ļ	:	the Park.	not pass		
12						through a new		
13						owner's		
14	·					purchase		
						debt		
15						service; a		
16						reasonable investor		
						would have		
17						considered		
18						the entirety		
						of the	`	
19						Board's past		
20						practice, not just that		
						which the		
21						investor		
22						found		
23			<u> </u>	<u> </u>		favorable		<u> </u>

### Case 2 14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 77 of 93 Page ID #:4992

- 11								
1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3	*2043	Paradise	Defs	S.	Obj:	Relevant to		
$_{4}$	T 2043	Trailer Park,	Ders	· .	Irrelevant to	whether	CV	
*		Resolution			Colony	Colony	14/	
5		04-225:			Cove's	Cove's	1/1/0	
ı		Exhibit C to	:		expectations	expectations	, 01/	
5 ∥		Staff Report,			because Mr.	were	λ	
,		p. C10 –			Goldstein	reasonable,		
7		C28, Analysis		1	was not	because	<i>'0'</i>	
8		of Fair			aware of	shows that		
		Return Issues			this	prior to		
9		for Paradise			resolution	purchase of		
٨		Trailer			or report at	Colony		
0		Lodge Rent			the time that	Cove the		
$_{1}$		Increase			he	Board did		
		Application,			purchased	not pass		
2		Dr. Kenneth			the Park.	through a		
		K. Baar			Improper	new		
3		CAR169324-		·	expert	owner's		
4		CAR169342		ļ	opinion for	purchase		
ן ד					the reasons	debt		
5					set forth in	service; a		
				ł	Plaintiff's	reasonable		
6	·		ł		Motion in	investor		
7					Limine No.	would have		
<b>′</b>					7. (See Dkt.	considered		
8			1		No. 69.)	the entirety		
					Fair return	of the		
9					analysis	Board's past		
ام					irrelevant to	practice, not		
0					any issues	just that		
1					to be tried.	which the		
		′		1		investor		
2			}			found		
3			<u> L</u>		<u> </u>	favorable	<u> </u>	

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Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
*2044	Park Villa Mobile Estates, Resolution 04-226: Staff Report CAR171394- CAR171412	Defs	Objection?	Objection?  Obj: Irrelevant to Colony Cove's expectations because Mr. Goldstein was not aware of this resolution at the time that he purchased the Park.	Relevant to whether Colony Cove's expectations at the time it purchased the Park were reasonable, because a reasonable purchaser would have considered the Board's past consideratio n of formulas that		
					disregard purchase debt service		ľ

Case No. CV 14-03242 PSG (PJWx)

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1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3   4   5   6   7   8   9   10   11   12   13   14   15   16   17	*2045	Park Villa, Resolution 04-226: Exhibit D to Staff Report, Analysis of Park Villa Mobilehome Park Rent Increase Application, Dr. Kenneth K. Baar, dated May 2004, pp. D1- D51 CAR171452- CAR171502	Defs	S.	Obj: Irrelevant to Colony Cove's expectations because Mr. Goldstein was not aware of this report at the time that he purchased the Park. Improper expert testimony for the reasons set forth in Plaintiff's Motion in Limine No. 7. (See Dkt. No. 69.)	Relevant to whether Colony Cove's expectations at the time it purchased the Park were reasonable, because a reasonable purchaser would have considered the Board's past consideration of formulas that disregard purchase debt service	A Sold of the second of the se	

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2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3 4 5 6 7 8 9 1 1 2 3 4 5 5 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6	*2046	Park Villa Mobile Estates, Resolution 04-226 CAR180127- CAR180134	Defs			Relevant to whether Colony Cove's expectations at the time it purchased the Park were reasonable, because a reasonable purchaser would have considered the Board's past consideratio n of formulas that	X	
6			,		į	disregard purchase debt service		

Case No. CV 14-03242 PSG (PJWx)
REVISED JOINT EXHIBIT LIST

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Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
*2047	Park Granada Mobilehome Park, Resolution 04-230: Staff Report + Exhibit A (Application for Rent Increase) CAR170375- CAR170404	Defs	S	Obj: Irrelevant to Colony Cove's expectations because Mr. Goldstein was not aware of this report or application at the time that he purchased the Park.	Relevant to whether Colony Cove's expectations at the time it purchased the Park were reasonable, because a reasonable purchaser would have considered the Board's past consideratio n of formulas that disregard purchase debt service		

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REVISED JOINT EXHIBIT LIST

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Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
*2048	Park Granada Mobilehome Park, Resolution 04-230: Exhibit D to Staff Report, Analysis of Park Granada Rent Increase Application, Dr. Kenneth K. Baar, dated September 2004, pp. D1- D30 CAR- 170447- CAR170476	Defs					
				Limine No. 7. (See Dkt. No. 69.)	purchase debt service		

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REVISED JOINT EXHIBIT LIST

#### Case 2:14-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 83 of 93 Page ID #:4998

	xhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
*	2049	Park Granada	Defs	S	Obj:	Relevant to		
<b>1</b>	2047	Mobilehome	10015		Irrelevant to	whether		
		Park,		ŧ	Colony	Colony		
		Resolution			Cove's	Cove's		
		04-230			expectations	expectations	'	
		CAR180169-			because Mr.	at the time it		
ll.		CAR180176			Goldstein	purchased		
				r	was not	the Park		
I				]	aware of	were		
	1				this	reasonable,		
i					resolution at the time that	because a reasonable		
					he time that	purchaser		
					purchased	would have		
					the Park.	considered		
l					die raik.	the Board's		
						past		
						consideratio		
						n of		!
H						formulas		
						that		
		,		ŀ		disregard		ļ
						purchase		
1						debt service		<u></u>

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	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
	*2050	Laco Mobilehome Park,	Defs	S	Obj: Irrelevant to Mr.	Relevant to whether Colony		
		Resolution 2007-252			Goldstein's	Cove's		
		CAR180384-			expectations at the time	expectations at the time it		
		CAR180393			he	purchased		
					purchased the Park	the Park were		
ı					because the	reasonable,		
l					Resolution was handed	because indicates		
				·	down in	Board's		
	-				2007, and Mr.	continuing use of		
					Goldstein	formulas		
ı			·		purchased the Park in	that disregard		
					April 2006	debt		
						service.		
	*2051	Carson Gardens	Defs	S	Obj: Irrelevant to	Relevant to whether		
I		Trailer		Ē	assessing	Colony		1
		Lodge, Resolution	,		reasonablen ess of	Cove's expectations		
		2008-254			expectations	based on		
	u.	CAR180407- CAR180416			because the Resolution	Exhibits 1005 and		
-		CARCIOU-10			was handed	1005 and 1006 were		
I					down in	reasonable, because		
		ţ			2008, and Mr.	Court of		
					Goldstein	Appeal		
	-				purchased the park in	approved this		
	•	1			April 2006.	resolution		
						which does not pass		
						through		
						owner's purchase		
			}			debt service		

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REVISED JOINT EXHIBIT LIST

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Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
*2052	Dominguez Trailer Park, Resolution 2008-259 CAR180462- CAR180468	Defs	S	Obj: Irrelevant to assessing reasonablen ess of expectations because the Resolution was handed down in 2008, and Mr. Goldstein purchased the park in April 2006.	Relevant to whether Colony Cove's expectations at the time it purchased the Park were reasonable, because indicates Board's continuing use of formulas that disregard debt service.		

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1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3	*2053	Colony Cove	Defs	S	Obj:	Relevant to	ļ.	
4	*2053	Mobile	Dels		Irrelevant	Colony		i
	ŀ	Estates,	}		and	Cove's		
5		Resolution	ļ	į	inadmissibl	expectations		
6		2010-277			e pursuant	at the time it		
ا		CAR180663- CAR180689	]		to the	purchased the Park,		
7		CARTOUGS		ļ	Court's orders	and to		
					granting	economic		
8				!	Plaintiff's	impact,		
9	:				Motions in	because it		
4.0					Limine Nos.	indicates the		
10					4 and 5.	Park is an	-	
11	11				(See Dkt	increasingly		
				1	Nos. 146	profitable		
12					(granting	investment		
13					Plaintiff's	over the		
13					Motion in Limine No.	long term, as Colony		
14			Ì		4 to exclude	Cove		
15					evidence	expected.		
15				Ì	regarding	on possession		
16					park value	,		
4 =			}		after July			
17					2009) &			
18				1	147	1		
			•		(granting			
19	1		ļ		Plaintiff's			
20					Motions in Limine No.			
			ŀ		5 to exclude			
21			ļ		evidence of			
22					Plaintiff's			
22			1		rent			
23					increase			
	1				applications			
24					in Years 3–			
25					5.))			
		<u> </u>						

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1 2	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
3 4	*2054	Colony Cove Mobile	Defs	S	Obj: Irrelevant	Relevant to Colony		
5		Estates, Resolution			and inadmissibl	Cove's expectations		
		2011-289			e pursuant	at the time it		-
6		CAR180797-			to the	purchased	,	
7		CAR180815			Court's	the Park, and to		
8			ļ		orders granting	economic		
٥					Plaintiff's	impact,		
9			ļ		Motions in	because it		
0					Limine Nos.	indicates the		
ł		·			4 and 5.	Park is an increasingly		
1					(See Dkt Nos. 146	profitable		
2					(granting	investment		
i			ļ 1		Plaintiff's	over the		
3		<u> </u>			Motion in	long term,		
4					Limine No. 4 to exclude	as Colony Cove		
5					evidence	expected.		
ا '					regarding			
6					park value			
7					after July	·		
Į					2009) & 147			
8					(granting			
9	·				Plaintiff's	, ·		
					Motions in			
0					Limine No.			
1		<u> </u>			5 to exclude evidence of			
,,			İ		Plaintiff's			
22			ļ		rent			
23					increase			
24					applications			
			1		in Years 3–			
25			<u>L</u>	<u> </u>	5.))	<u></u>	1	<u> </u>

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	hibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
*2	2055	Colony Cove Mobile Estates,	Defs	S	Obj: Irrelevant and	Relevant to Colony Cove's		
		Resolution	,		inadmissibl	expectations		
		2012-306 CAR180901-			e pursuant to the	at the time it purchased		
		CAR180919			Court's	the Park,		
			Ì		orders	and to		
			E		granting	economic		
					Plaintiff's	impact,	,	
			<u> </u>		Motions in	because it		
ŀ					Limine Nos.	indicates the		
					4 and 5.	Park is an		
				:	(See Dkt	increasingly		
	ļ		ļ		Nos. 146	profitable		
					(granting	investment over the		
ł			ļ		Plaintiff's Motion in	long term,		
					Limine No.	as Colony		
					4 to exclude	Cove		
					evidence	expected.		
				ļ	regarding			
Ì					park value			
			ł		after July			
					2009) &			
			-		147			
					(granting			
					Plaintiff's			
		, , , , , , , , , , , , , , , , , , ,		ļ	Motions in			
			1		Limine No.			
				ļ	5 to exclude evidence of	1		1
					Plaintiff's			
				1	rent			
			1		increase			
		}			applications			
					in Years 3–			
			1		5.))		1	

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Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
*2056	Park Avalon	Defs	S	Obj:	Relevant to		
2030	Modile		_ ~	Irrelevant to	whether		•
	Estates,			Colony	Colony		
	Resolution 81-025			Cove's	Cove's		
	CAR170208-			expectations	expectations	•	
	CAR170208-			because Mr.	at the time it		
	C/M(17020)		·	Goldstein was not	purchased the Park		
				aware of	were		9
				this	reasonable,		
				resolution at	because a		
			1	the time that	reasonable		
				he	purchaser		
				purchased	would have		
				the Park.	considered		
					the entirety		
					of the		
	١				Board's past practices		
					regarding		!
					treatment of		
					purchase		
					debt service		1
					expenses,		
				ŀ	not just that		
					which		
					investor		
					found		
					favorable	<u> </u>	

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	Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
<b> </b>	*2057	Imperial	Defs	S	Obj:	Relevant to		
	2037	Carson	DCIS	Б	Irrelevant to	whether		
		Mobile			Colony	Colony		
		Estates,			Cove's	Cove's		
		Resolution 92-153			expectations	expectations		
		CAR179656-			because Mr.	were		
		CAR179663		*	Goldstein	reasonable, because		
		CARTITOOS			was not aware of	shows the		
			 		this	Board did		
	,				resolution at	not always		
					the time that	pass		
			,		he	through		
					purchased	100% of		
			Ì		the Park.	purchase		
						debt		
			}			service; a		
						reasonable		-
						investor		
						would have		
						considered		
						the entirety of the		
						Board's past		
						practice, not	!	
						just that		
			1		:	which		
						investor		
			}			found		
						favorable		

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Exhibit No.	Description	Offered By	Authenticity: Stipulated or Objection?	Admissibility: Stipulated or Objection?	Argument in Support of Admissibility	Date Identified	Date Admitted
*2058	Imperial Carson Mobile	Defs	S	Obj: Irrelevant to	Relevant to whether Colony		
	Estates,			Colony Cove's	Colony Cove's		
	Resolution 92-153: Staff			expectations because Mr.	expectations were		
	Report presented at			Goldstein was not	reasonable, because		
	rent increase hearing			aware of this	shows the Board did		
	CAR122344-			resolution at	not always		
	CAR122356			the time that	pass		
			ļ	he purchased	through 100% of		
				the Park.	purchase debt		
					service; a		
					reasonable		
					investor would have		!
	·				considered		
					the entirety of the	4,00	
					Board's past		
					practice, not just that		
					which		
					investor		
)   .					found favorable		

\* Asterisk indicates exhibits which a party may offer if the need arises.

Case No. CV 14-03242 PSG (PJWx)

Case 2	14-cv-03242-PSG-PJW Docum	nent 196 Filed 05/05/16 Page 92 of 93 Page ID #:5007
1	DATED: April 26, 2016	Respectfully submitted,
2		GILCHRIST & RUTTER
3		Professional Corporation
4		&
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21		Colony Cove Properties, LLC
22		
23 24	1	
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2′		
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		Case No. CV 14-03242 PSG (PJWx)  REVISED JOINT EXHIBIT LIST
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Case 2:1	L4-cv-03242-PSG-PJW Document 196 Filed 05/05/16 Page 93 of 93 Page ID #:5008
1 2	DATED: April 26, 2016 ALESHIRE & WYNDER, LLP
3	
4	By: /s/ Jeff M. Malawy Sunny K. Soltani
5	June S. Ailin
	Stephen R. Onstot Jeff M. Malawy
$\frac{6}{7}$	Margaret W. Rose  Laura Leitner
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8	Irvine, California 92612
9	Telephone: (949) 223-1170 Facsimile: (949) 223-1180
10	Attorneys for Defendants City of Carson
11	and City of Carson Mobilehome Park
12	Rental Řeview Board, a public administrative body
13	
14	
15	
16	
17	ATTESTATION
18	I hereby attest that the other signatory listed, on whose behalf this filing is
19	submitted, concurs in the filing's content and has authorized the filing.
20	Dated: April 26, 2016 O'MELVENY & MYERS LLP
21	Date of Tapin 20, 202
22	By: <u>/s/ Matthew W. Close</u> Matthew W. Close
23	
24	
25	
26	
27	
28	82 Case No. CV 14-03242 PSG (PJWx) REVISED JOINT EXHIBIT LIST